

BOSTON REDEVELOPMENT AUTHORITY

REPORT AND DECISION ON THE APPLICATION OF AD/TEMP ASSOCIATES FOR THE AUTHORIZATION AND APPROVAL OF A PROJECT UNDER MASSACHUSETTS GENERAL LAWS (TER. ED.) CHAPTER 121A AS AMENDED, AND CHAPTER 652 OF THE ACTS OF 1960, TO BE UNDERTAKEN AND CARRIED OUT BY A LIMITED PARTNERSHIP ORGANIZED PURSUANT TO M.G.L., C.109, AND APPROVAL TO ACT AS AN URBAN REDEVELOPMENT LIMITED PARTNERSHIP UNDER SAID CHAPTER 121A

- A. The Hearing. A public hearing was held at 2:00 p.m. on April 17, 1980 in the offices of the Boston Redevelopment Authority (hereinafter called the "Authority"), at City Hall, Room 921, Boston, Massachusetts 02201, by the Authority on an Application dated April 3, 1980, (hereinafter called the "Application"), filed by Ad/Temp Housing Corporation on behalf of Ad/Temp Associates for authorization and approval of a redevelopment project under Chapter 121A of the General Laws of the Commonwealth of Massachusetts and Chapter 652 of the Acts of 1960, as amended, (hereinafter called the "Project"), due notice of said hearing having been given previously by publication on April 7, 1980, and April 14, 1980 in the Boston Herald American, a daily newspaper of general circulation published in Boston and mailing postage prepaid in accordance with Rule 4 of the Rules and Regulations of the Authority for securing approval of Chapter 121A projects, and in accordance with the provisions of Section 13 of Chapter 652 of the Acts of 1960, as amended. James G. Colbert, Joseph J. Walsh, and James E. Cofield, Jr., members of the Authority, were present at the hearing.
- B. The Project. The proposed development area is located on four scattered sites in the Dorchester Neighborhood strategy area, 3, 5, 7, 9, 11, 15, Templeton Street, 1843 Dorchester Avenue, and 445, 447 and 457 Adams Street. A full metes and bounds description can be found in Exhibit A to the Application.

The Applicant is the present owner of the parcels located at numbers 3-9 and numbers 11-15 Templeton Street, Dorchester, Massachusetts, and has tentative designation from the Authority as developer for each of the remaining parcels constituting the Project Area. Said remaining parcels are presently owned by the City of Boston through foreclosure proceedings for non-payment of taxes and municipal liens and will be transferred to the Applicant through the Authority.

The Project consists of the rehabilitation of the four parcels constituting the Project Area, pursuant to the Department of Housing and Urban Development's Neighborhood Strategy Area, Section 8 Rehabilitation Program, into 74 residential apartments for elderly and handicapped persons and 1200 square feet of rentable commercial space at Number 3 Templeton Street (the present location of the Housing Improvements Office of the Mayor's Office of Housing Affairs). The Project, after rehabilitation, will contain the following proposed units:

447 Adams Street	15 One-Bedroom Units (Total) 6 One-Bedroom Handicapped Units 9 One-Bedroom Units
445 Adams Street	9 One-Bedroom Units 3 Two-Bedroom Units
457 Adams Street	15 One-Bedroom Units
3 Templeton Street	4 One-Bedroom Units
5, 7 and 9 Templeton Street	12 One-Bedroom Units
11, and 15 Templeton Street	10 One-Bedroom Units 6 Two-Bedroom Units
<u>Total Number of Units:</u>	<u>74</u>
<u>One-Bedroom Units:</u>	65 One-Bedroom Handicapped: <u>6</u>
<u>Two-Bedroom Units:</u>	<u>9</u>

The appurtenant facilities will include community space, laundry rooms and landscaping. Attached to this Application as Exhibit D is a site plan for the Project Area. There is also incorporated into the Application as Exhibit E, floor plans and elevations for the buildings and as Exhibit F, outline specifications showing generally the character and quality of the construction to be used.

C. Authority Action. In passing upon the Application, the Authority has considered the Application itself, all documents, plans and exhibits filed therewith or referred to therein, the oral evidence presented at the hearing, the exhibits offered in evidence at the hearing, and arguments and statements made at the hearing.

D. Project Area. The Project as defined in the Application constitutes a "Project" within the meaning of Section 1 of Chapter 121A of the General Laws, providing, as it does, for the acquisition, rehabilitation and construction in a blighted, substandard and decadent area of decent, safe, and sanitary housing for the elderly and handicapped and commercial space.

The Project Area is decadent and substandard, as those terms are defined in Section 1 of Chapter 121A, because all of the buildings therein are out of repair, physically deteriorated and dilapidated, unfit for human habitation and will increasingly become a local hazard and an eyesore. Not only is the Project Area currently "decadent" but the failure to redevelop the property in the near future will be of lasting detriment to the surrounding community.

The parcels, with the exception of the building located at 446-447 Adams Street, Dorchester, Massachusetts, are boarded up because they are structurally unsafe and badly in need of extensive rehabilitation. Not only do the existing plumbing and heating as well as electrical systems need replacing or major repairs, but substantial exterior work on the buildings would be required for suitable occupancy. The lone parcel which was partially occupied, 445-447 Adams Street, Dorchester, Massachusetts, is in need of major repairs and requires substantial work to restore the existing units to a profitable operation.

The parcels on Templeton Street are located in an area that is substandard, blighted and decadent as those terms are defined in Chapter 121A. Residential buildings are substantially deteriorated and it is unlikely that the conditions will improve unless certain focal properties in the area are rehabilitated thereby helping to establish confidence in the neighborhood. During the first two weeks of November, 1979, a three-alarm fire was set at 9 Templeton Street, further increasing the blight existing in the Project area.

The Site would not be developed without the real estate taxes being limited to a percentage of the project's estimated gross annual income, evidenced by the requirement of the mortgage lender attached to the Application. Percentage levels as a basis for taxation can only be lawfully agreed to by the City of Boston under G.L. Chapter 121A and Chapter 6A. These conditions and other factors referred to in the Application and this Report and Decision warrant the carrying out of the Project in accordance with Chapter 121A.

For these reasons it is found that the Project Area is a blighted, decadent and substandard area within the meaning of Chapter 121A, as amended. It is unlikely that the conditions will be remedied by the ordinary operations of private enterprise.

The Project will provide substantial financial return to the City of Boston. The amounts to be paid in lieu of real estate taxes by the Applicants are set forth in the Application. There shall be paid to the City of Boston a percentage payment in lieu of real estate taxes, in each of the forty (40) calendar years after approval of the Project.

E. Cost of the Project. In the opinion of the Authority, the cost of the Project has been realistically estimated in the Application and the Project is practicable.

The estimated minimum cost of the Project will be approximately three million, five hundred thousand (\$3,500,000) dollars. The Project costs will be financed by the company with its own funds or, at its election, by construction and permanent mortgage financing provided by institutional lenders or MHFA, and the proceeds of capital contributions derived from syndication to limited partners. The Applicant estimates that the equity requirements for the Project over the mortgage will be approximately \$350,000. The terms of any permanent loan shall be for forty (40) years.

The Project will be assisted by housing assistance payments under Section 8 of the U.S. Housing Act for 100% of the elderly and handicapped units. Under the Section 8 program the United States

Department of Housing and Urban Development ("HUD") pays the amount of the market rents for an apartment which exceeds 25% of the tenant's income. A condition of said HUD subsidy is that the Applicant receive a 121A determination for the Project and that said determination contain provisions for a contract under Section 6A of General Laws, Chapter 121A.

The following are all the persons, natural or corporate, who, prior to the completion of the Project, have or will have, directly or indirectly, any ownership interest in the Project:

The General Partner of Ad/Temp Associates (who is described above), Investors who will be admitted as Limited Partners in Ad/Temp Associates and the Mortgagees described above. Experience with similar financing and organization methods persuades the Authority that the financial program is realistic.

F. Consistency with Master Plan. The Project does not conflict with the Master Plan for the City of Boston as the Project Area comes within a classification in the Master Plan which permits buildings and uses of the kind proposed by the Applicants.

G. Effect of the Project. The Project will not be in any way detrimental to the best interests of the public or the City of Boston or to the public safety and convenience and is not inconsistent with the most suitable development of the Project Area neighborhood or of the City. The Project will, in fact, forward the best interests of the City and will constitute a public use and benefit. The Plans of the structure to be rehabilitated within the Project Area have been reviewed by the Design Review Staff of the Authority. The Authority finds that this Project will enhance the general appearance of the area and will furnish attractive and necessary landscaping and provide much needed handicapped and elderly housing in the Dorchester neighborhood. The Project will have a positive economic impact on the neighborhood surrounding the Project Area and on the City of Boston. During construction of the Project, the Project general contractor will be required, to the best of its ability, to grant preference in hiring to Boston residents.

H. Environmental Considerations. Pursuant to the provisions of regulations implementing the Massachusetts Environmental Policy Act, 301 CMR 10.32 (3) (h), the Project has been categorically excluded from the filing of any environmental report. In order to avoid or minimize any damage to the environment, the Authority hereby requires that the applicant comply with the City of Boston Air Pollution Control Commission's Regulations for the Control of Noise and Regulations for the Control of Atmospheric Pollution during all phases of construction activity. Furthermore, if the rehabilitation involves any abrasive blasting of interior or exterior surfaces, the contractor must submit an application for an Abrasive Blasting Permit to the City of Boston Air

Pollution Control Commission prior to initiation of such activity.

I. Minimum Standards. The minimum standards for financing, construction, maintenance and improvement of the Project as set forth in Exhibit L filed with and attached to the Application, are hereby adopted and imposed as Rules and Regulations (in addition to those hereinafter adopted and imposed) applicable to this Project for the same period as the Project is subject to the provisions of Chapter 121A of the General Laws and Chapter 652 of the Acts of 1960, as amended.

In addition to the minimum standards set forth in Exhibit L the Authority hereby requires that the Applicants, prior to obtaining a building permit, (1) enter into a Regulatory Agreement with the Authority pursuant to the requirements of General Laws, Chapter 121A Section 18C, and containing such other terms and conditions as the Authority may in its discretion deem necessary and appropriate; (2) submit to the Authority for its review and approval all plans and specifications for the Project as the Authority may require and accept such changes and modifications thereto as the Authority may deem necessary or appropriate, and (3) adhere to such design review controls and requirements as the Authority may in its discretion impose.

The carrying out of the Project will not require the grant of a permit for the erection, maintenance and use of a garage within 500 feet of one or more buildings occupied in whole or in part as a public or private school having more than 50 pupils, or as a public or private hospital having more than 25 beds, or as church.

The Project does not involve the construction of units which constitute a single building under the State Building Code and zoning laws, G.L. c.138.

J. Zoning Code Deviations. Exhibit N to the Application lists the zoning code deviations requested. For the reasons set forth in the Application and the evidence presented at the hearing, the Authority finds that the deviations attached hereto and incorporated by reference as Exhibit A are necessary for the carrying out of the total project and are therefore granted without substantially derogating from the intent and purposes of the applicable laws, codes, ordinances and regulations respectively.

K. Duration of Period of Tax Exemption. The Applicant requests an extension of twenty five (25) years to the base term of fifteen (15) calendar years for the Project's period of tax exemption pursuant to applicable provisions of Chapter 121A.

L. Decision. For all the reasons set forth in the foregoing report, the Authority hereby approves the undertakings by the Applicant of the Project pursuant to Chapter 121A of the General Laws and Chapter 652 of the Acts of 1960, subject to the provisions as set forth above.

EXHIBIT A

ZONING DEVIATIONS REQUESTED

445-447 Adams Street (R.8 District)
(12 units exist, 12 units proposed-445 Adams)
(14 units exist, 15 units proposed-447 Adams)

1. Permission to deviate from the zoning requirements (8-7(8) and 14-2) of a lot area of 44,000 square feet (5,000 square feet plus 1,500 square feet for each additional dwelling). The lot size will be approximately 15,101 square feet or approximately 388.5 square feet per additional unit.

2. Permission to deviate from the zoning requirement (8-7(8) and 15-1) limiting floor area ratio to .8. The floor area ratio will be approximately 1.9.

3. Permission to deviate from the zoning requirement (8-7(8) and 17-1) of 800 square feet of usable open space per dwelling unit. Proposed usable open space will be 300 square feet per unit.

4. Permission to deviate from the zoning requirement (8-7(8), 23-1 and 23-7A) of .2 parking spaces per additional unit. There are presently no off-street parking facilities and none are proposed.

3-5-7-9 Templeton Street (R.5, L-1 Districts)
(12 units exist, 16 units proposed)

1. Permission to deviate from the zoning requirement (8-7(8)) of 2 acres for the proposed units. Lot size is approximately 1/3 of an acre.

2. Permission to deviate from the zoning requirement (8-7(8) and 17-1) of 1,000 square feet of usable open space per dwelling unit. Proposed usable open space will be approximately 86.1 square feet per unit.

3. Permission to deviate from the zoning requirement (8-7(8), 23-1 and 23-7A) of .2 parking spaces per additional unit. There are presently no separate off-street parking facilities and none are proposed.

11 Templeton Street (R.5 District)
(6 units exist, 8 units proposed)

1. Permission to deviate from the requirement (8-7(8)) of minimum lot size of 2 acres. Lot size is approximately 1/10 of an acre.

2. Permission to deviate from the zoning requirement (8-7(8) and 17-1) of 1,000 square feet of usable open space per dwelling unit. Proposed usable open space will be approximately 261.9 square feet per unit.

3. Permission to deviate from the zoning requirement (8-7(8), 23-1 and 23-7A) of .2 parking spaces per additional unit. There are presently no separate off-street parking facilities and none are proposed.

15 Templeton Street (R.5 District)
(6 units exist, 8 units proposed)

1. Permission to deviate from the requirement (8-7(8)) of minimum lot size of 2 acres. Lot size is approximately 1/10 of an acre.

2. Permission to deviate from the zoning requirement (8-7(8) and 17-1) of 1,000 square feet of usable open space per dwelling unit. Proposed usable open space will be approximately 302.9 square feet per unit.

3. Permission to deviate from the zoning requirements (8-7(8), 23-1 and 23-7A) of .2 parking spaces per additional unit. There are presently no separate off-street parking facilities and none are proposed.

MEMORANDUM

MAY 1, 1980

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: ROBERT J. RYAN, DIRECTOR

SUBJECT: CHAPTER 121A APPLICATION OF AD/TEMP ASSOCIATES

On April 17, 1980, the Authority conducted a public hearing to consider the above-captioned 121A Application.

The Project consists of the rehabilitation, operation and maintenance of four parcels constituting the Project Area, into 74 units of low-income housing for the elderly and handicapped and 1200 square feet of commercial space, located at and numbered 3-5-7-9-11-15 Templeton Street, 445-447-457 Adams Street and 1843 Dorchester Avenue in the Dorchester section of Boston.

Authority staff has examined the Application and found that it contained sufficient evidence in support of the Project to make those findings and determinations necessary to proceed with the approval of the Project.

It is therefore recommended that pursuant to Chapter 121A of the General Laws, the Authority adopt the Report and Decision approving the Project.

An appropriate vote follows:

VOTED: That the document presented at this meeting entitled "Report and Decision on the Application of AD/TEMP Associates for the Authorization and Approval of a Project under Massachusetts General Laws (Ter.Ed.) Chapter 121A, as Amended, and Chapter 652 of the Acts of 1960, to be Undertaken and Carried Out by a Limited Partnership Organized Pursuant to M.G.L. c.109 and Approval to Act as an Urban Redevelopment Limited Partnership Under Said Chapter 121A" be and hereby is approved and adopted.

